

13281 U.S. PTO
021804

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Mail Stop PATENT APPLICATION
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450

Attorney Docket No.: HYAE:095E
Date: February 18, 2004

Prior Application:
Examiner: Paul W. Huber
Art Unit: 2653

Sir:

This is a

☐ Request for Continued Examination (RCE) under 37 CFR §1.114
(prosecution of the application is closed in the sense of 37 CFR §1.114(b));

☒ Continuation Application (parent not abandoned) under 37 CFR
§1.53(b);

of pending prior application Serial No. 10/238,587, filed September 11, 2002
for [Title as filed]: OPTICAL DISK APPARATUS

[Amended Title]: OPTICAL DISK APPARATUS HAVING COMPENSATION FOR OBJECTIVE
LENS DISLOCATION

by [Inventors]: Yasuhito SOMA; Akira MATSUBARA; and Kazuhiko KOUNO

1. ☒ A copy of the prior application is attached. This copy comprises
a true copy of the prior application as filed (specification,
claims, drawings, declaration). No amendments referred to in the
declaration (if any) filed to complete the prior application
introduced new matter therein.
2. ☐ Abandon said prior application as of the filing date accorded this
application.

PLEASE ACCEPT THIS AS
AUTHORIZATION TO DEBIT
OR CREDIT FEES TO
DEP. ACCT. 16-0331
PARKHURST & WENDEL

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3. [x] The filing fee is calculated below:

CLAIMS REMAINING IN AN APPLICATION AFTER ENTRY
OF ANY PRELIMINARY AMENDMENT OR AMENDMENT
UNDER 37 CFR §1.116 NOTED BELOW

Basic Fee
\$770.00

Total claims 5 -20 = 0 x \$18.00 (* 9.00) =

Independent claims 2 - 3 = 0 x \$86.00 (*43.00) =

Total Filing Fee..... = \$770.00

4. [x] A check in the amount of \$770.00 is enclosed (CK# 17380).
THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY OTHER FEES
WHICH MAY BE REQUIRED OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT
NO. 160331.

5. [x] Cancel in this application claims 2-8 of the prior application
before calculating the filing fee. At least one independent claim
is retained for filing purposes.

6. [x] Amend the specification by inserting before the first line the
sentence:

--This is a continuation of application Serial No. 10/238,587 filed
September 11, 2002, now allowed, which in turn is a continuation of
Serial No. 09/492,269 filed January 27, 2000, now U.S. Patent
6,473,373.--

7. [] Please enter in the present application the Amendment Under 37 CFR
§1.116 with any attachments filed on in this application which was
not entered therein.

8. [x] Priority of foreign application(s) No. 11-018363, filed January 27,
1999; in Japan is claimed under 35 U.S.C. §119.

[x] The certified copy was filed in prior application No. 09/492,269 on
March 2, 2000.

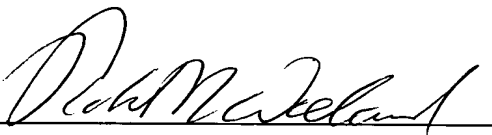
[] A certified copy of the above corresponding foreign application is
filed herewith.

9. [x] The prior application is assigned of record to MATSUSHITA ELECTRIC
INDUSTRIAL CO., LTD. Recorded at Reel 10590, Frame 282.

10. [x] The power of attorney in the prior application is to Roger W. Parkhurst, Registration No. 25,177 and Charles A. Wendel, Registration No. 24,453:
- [x] a. The power appears in the original papers in the prior application.
- [] b. Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- [x] c. Address all future communications to
- PARKHURST & WENDEL, L.L.P.
1421 Prince Street, Suite 210
Alexandria, Virginia 22314-2805
Telephone: (703) 739-0220.
11. [x] An Application Data Sheet is enclosed herewith.
12. [x] A Preliminary Amendment is enclosed herewith.
13. [x] An Information Disclosure Statement is enclosed herewith.
14. [x] This application is not entitled to Small Entity Status.
15. [] A Petition for Month Extension of Time is enclosed herewith.

Respectfully submitted,

PARKHURST & WENDEL, L.L.P.



Roger W. Parkhurst
Registration No. 25,177
Robert N. Wieland
Registration No. 40,225

(rev. 02/04)